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PATENT

DOCKET NO.: ISIS-5582
Application No.: 10/510,667
Office Action mailed: November 15, 2006

REMARKS

Claims 1-4, 11-18 and 20 are pending. Claims 19 and 21-23 are withdrawn. Claims 5-10 and 24-41 are cancelled. Applicants request amendments to claims 1, 13 and 20. The basis for the amendments can be found throughout the specification and more specifically in Example 2 starting at page 39. No new matter has been added.

Rejection under 35 USC § 112, first paragraph

The office has rejected claim 20 under 35 USC § 112, first paragraph as allegedly failing to comply with the enablement requirement. Without conceding the correctness of the rejection, and to advance prosecution, claim 20 has been amended to remove the word pharmaceutical from the claim. Applicants accordingly, respectfully request withdrawal of the rejection.

Rejection under 35 USC § 102 (b)

Claims 1, 2, 11, 13-18 and 20 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Yau (US 5,210,264), claims 1, 2, 11-16 and 20 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Cook (US 5,521,302), and claims 1-4, 11-18 and 20 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Uhlmann et al., (US 6,033,909). The claims as amended are not anticipated by the Yau, Cook or Uhlmann patents.

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It is believed all of the claims presently before the Examiner patentably define the invention over the prior art and are otherwise in condition for ready allowance. An early Office Action to that effect is, therefore, earnestly solicited.

FEES

It is believed that there are no fees due. However, if a fee is due, the Commissioner is hereby authorized to charge the appropriate amount to the Deposit Account Number 50-0252 referencing docket number ISIS-5582.

Respectfully submitted,

Date: 2-9-07Robert S. Andrews

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